

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL CASE NO. 5:21-cv-00168-MR**

ALBERT MARQUAVIOUS LAMAR)
ANDERSON,)
)
Plaintiff,)
)
vs.) **ORDER**
)
ERIC DYE, et al.,)
)
Defendants.)
)

THIS MATTER is before the Court on the Plaintiff's *pro se* "Motion for Emergency Release" [Doc. 9], and "Motion to Propose Defendants" [Doc. 10]. The Plaintiff is proceeding *in forma pauperis*. [Doc. 8].

The incarcerated Plaintiff filed this action pursuant to 42 U.S.C. § 1983 addressing incidents that allegedly occurred at the Alexander Correctional Institution. [Doc. 1]. The Complaint has not yet been screened for frivolity.

The Plaintiff has now filed the pending Motions which appear to be attempts to amend the Complaint. Although the Plaintiff may amend the Complaint once without leave of Court, see Fed. R. Civ. P. 15(a)(1), the instant documents are insufficient in that they are not signed. Fed. R. Civ. P. 11(a). They also seek to amend the Complaint piecemeal, which will not be

allowed. Accordingly, the pending Motions are denied. This denial is without prejudice for the Plaintiff to amend the Complaint within 30 days of this Order, if he wishes to do so. The Amended Complaint will be subject to all timeliness and procedural requirements and will supersede the Complaint. Piecemeal amendment will not be permitted. Should the Plaintiff fail to comply with this Order, the Court will proceed on the Complaint [Doc. 1] as originally filed.

IT IS THEREFORE ORDERED that:

1. The Plaintiff's *pro se* "Motion for Emergency Release" [Doc. 9], and "Motion to Propose Defendants" [Doc. 10] are **DENIED**.
2. The Plaintiff may file an Amended Complaint within **thirty (30) days** of this Order. The Amended Complaint will be subject to all timeliness and procedural requirements and will supersede the Complaint. Piecemeal amendment will not be permitted. Should Plaintiff fail to timely amend his Complaint, the Court will proceed on the Complaint [Doc. 1].
3. The Clerk is respectfully instructed to mail Plaintiff a blank § 1983 form along with a copy of this Order.

IT IS SO ORDERED.

Signed: January 5, 2022



Martin Reidinger
Chief United States District Judge 